

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CIVIL ACTION
NO. 05-10944-RGS

THOMAS GLEASON,

Plaintiff

v.

SALLY A. GLEASON, NORTHEAST
REHABILITATION HOSPITAL,
HIGHMARK LIFE INSURANCE
COMPANY, METROPOLITAN LIFE
INSURANCE COMPANY, KEVIN
REMBIS, FIDELITY INVESTMENTS,
MERRIMACK VALLEY FEDERAL
CREDIT UNION,

Defendants.

**RESPONSE OF METROPOLITAN LIFE INSURANCE COMPANY TO PLAINTIFF'S
MOTION TO DISMISS WITHOUT PREJUDICE**

Pursuant to Local Rule 7.1(B)(2), defendant Metropolitan Life Insurance Company ("MetLife") hereby responds to plaintiff's motion to dismiss without prejudice as follows. Notwithstanding the Court's November 16, 2005 Order granting plaintiff's motion, MetLife expressly reserves and does not waive its right to raise any exclusions contained in the subject dependent group life insurance policy, including but not limited to the suicide exclusion, as a ground for denying or defending any claim brought by the plaintiff in the future.

METROPOLITAN LIFE
INSURANCE COMPANY
By its attorneys,

/s/ Johanna L. Matloff

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Dated: November 17, 2005

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